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March 2, 2004

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: RM-10715, ex parte communication

Dear Ms. Dortch:

On behalf of the National Emergency Number Association, petitioner in the referenced matter, Steve Seitz and I met yesterday with John Muleta, Cathy Seidel, Aaron Goldberger and Greg Guice. We spoke from the attached outline of points already discussed in detail on the record.

The discussion included the relative merits of rulemaking and declaratory rulings or interpretations.

Sincerely,

James R. Hobson

cc: Catherine W. Seidel; Steve Seitz

Petition for Rulemaking, RM-10715

Filed May, 2003

Reconciling Criminal and FCC Law on CPNI in Emergencies

At issue: 47 USC sec. 222

18 USC secs. 2702, 2703

Contending parties: Wireless carriers and CTIA v. public safety and privacy center

Our take: A case of “violent agreement”

Yes, the two sets of laws are not always congruent.

Yes, DOJ should be involved.

Yes, Congress may have to change or reconcile the statutes.

No, NENA is not asking the FCC to rewrite criminal law unilaterally.

New issue since filing: 24 X 7 human contact at carrier call centers